

Donation Guidelines and Gift Acceptance Policy



Examples From the USDA FS

1. A national association of fish processors wishes to make a donation to ARS for research regarding the use of byproducts generated by fish processing as fertilizer. Fish processing is not an activity regulated by USDA. However, due to industry consolidation the majority of funding of the association is provided by members of the meatpacking industry who do conduct activities regulated by FSIS. Accordingly, acceptance of the gift is not permissible.
2. The FS has contracted with Acme Construction Co. to build a road in Alaska. Acme Construction Co. wants to donate construction material to NRCS in Idaho and \$10,000 to the National Arboretum in Washington, D.C. Acceptance of the gift to NRCS would not be permissible because it is in the Natural Resources and Environment mission area of the Department along with the FS, for which Acme is a contractor. The gift to the National Arboretum may be accepted because it is an ARS facility within the Research, Education, and Economics mission area of the Department.





What Do These Guidelines Cover?

Agency policy for the following:

Acceptance

Use

Recognition

Solicitation of Donations



DOI Authorities

**DOI - DM: Series: Ethics and Conduct;
Part 374: Employee Responsibilities
and Conduct; Chapter 6: Donations**

Partnership Legal Primer

<http://www.doi.gov/pmb/partnerships/partnership-legal-framework.cfm>

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NPS Authorities

**DOI - DM: Series: Ethics and
Conduct; Part 374: Employee
Responsibilities and Conduct;
Chapter 6: Donations**

**Director's Order 21: Donations and
Fundraising**

http://www.nps.gov/partnerships/directors_orders.htm

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USDA Authorities

**Departmental Regulation Number
5200-3; Subject: Gift Acceptance
Policy; OPI: Office of Procurement
and Property Management; Date
April 18, 2003**


<http://www.ocio.usda.gov/directives/doc/DR5200-003.htm>

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**Congressionally-chartered Foundations
set up by Congress to support agency-
specific missions and programs:**



What are Authorized Gifts?



Agency may accept **contributions** from individuals, organizations, foundations, corporations, associations and other entities

Donations may be in the form of cash, securities, real property (land and improvements) facilities, personal property, and services



Vetting for the Agency is Important Because it Preserves:

- ▶ **Integrity of programs and operations**
- ▶ **Impartiality, and appearance of impartiality, of the employees**
- ▶ **Public confidence in the programs and its personnel**

Prohibited Gifts

- ▶ Gifts from a donor debarred or suspended from doing business with the government
- ▶ If size or circumstance of a gift could be seen as an attempt to influence the Agency's regulatory or other authority



Prohibited Gifts

- ▶ Donations from any person who conducts activities regulated by the Department or any of its Agencies
- ▶ Anyone engaged in criminal, civil or administrative litigation with the Department



Donations

- ▶ Can't be used to state or imply endorsement of a donor's product or service
- ▶ Must meet a legitimate need and not require commitment of funding not planned or available




You Need to Know

1. You cannot accept a donation; only the Agency or one of the congressionally chartered Foundations can accept
2. You cannot solicit/ask for a donation from sources outside the federal agency



Where To Find Help



Your agency **partnership coordinator or ethics lead** can help you understand your role as a federal employee in relation to donation activities with partners

Make them your **best friend!**